

ZB# 05-56

**Mt. Airy Estates
(2657 Liberty Ridge)**

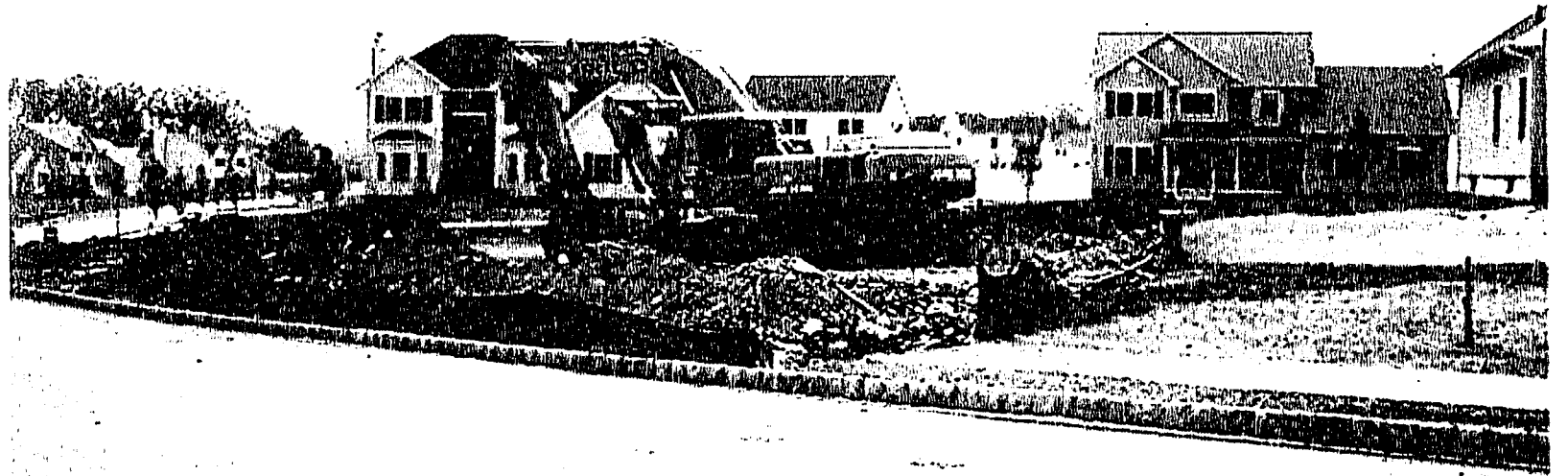
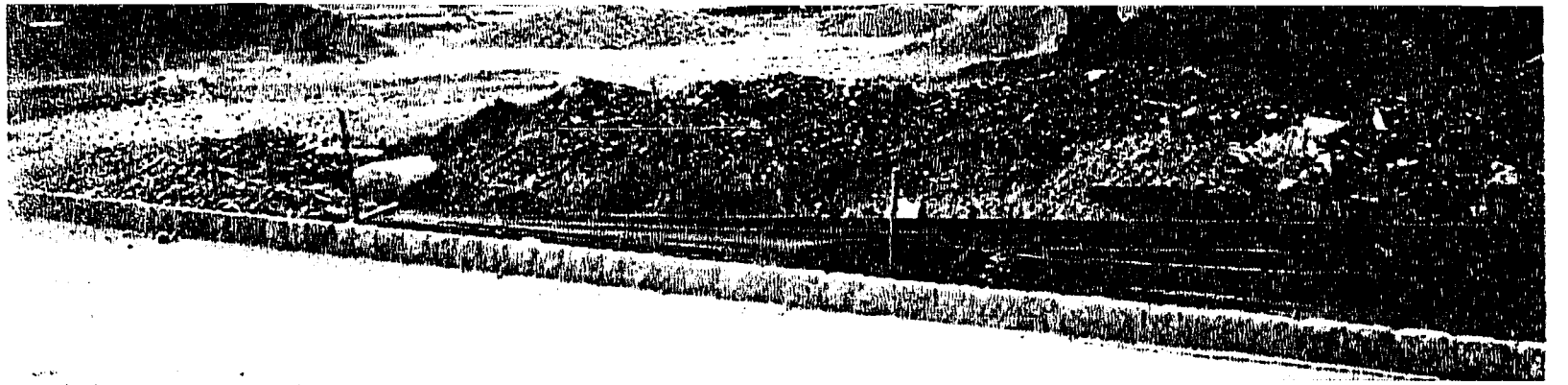
64-2-24

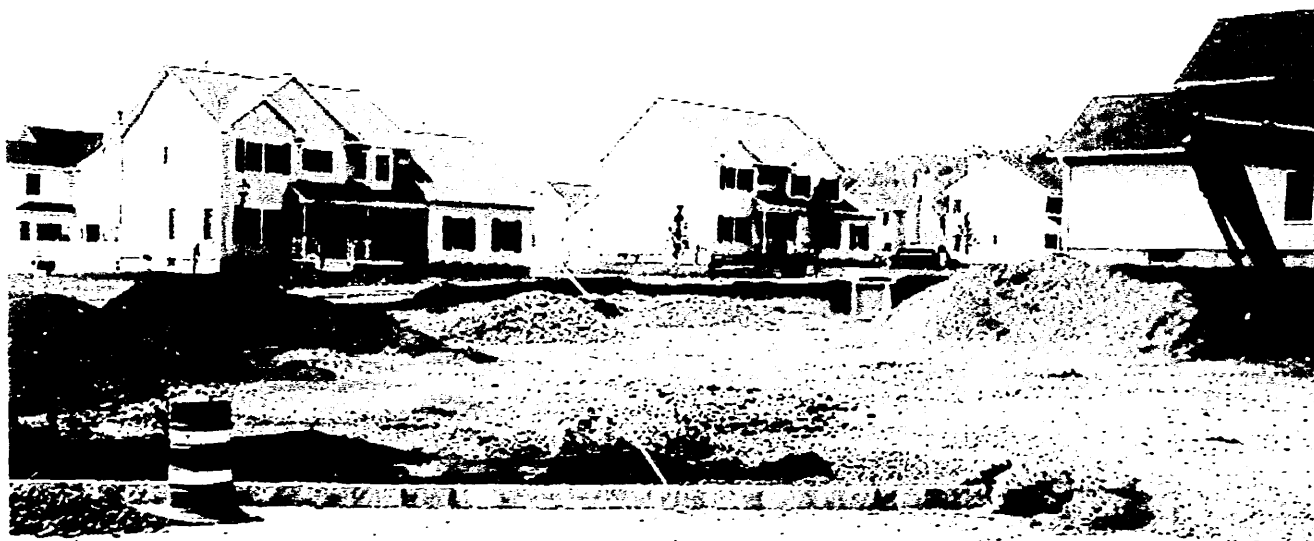
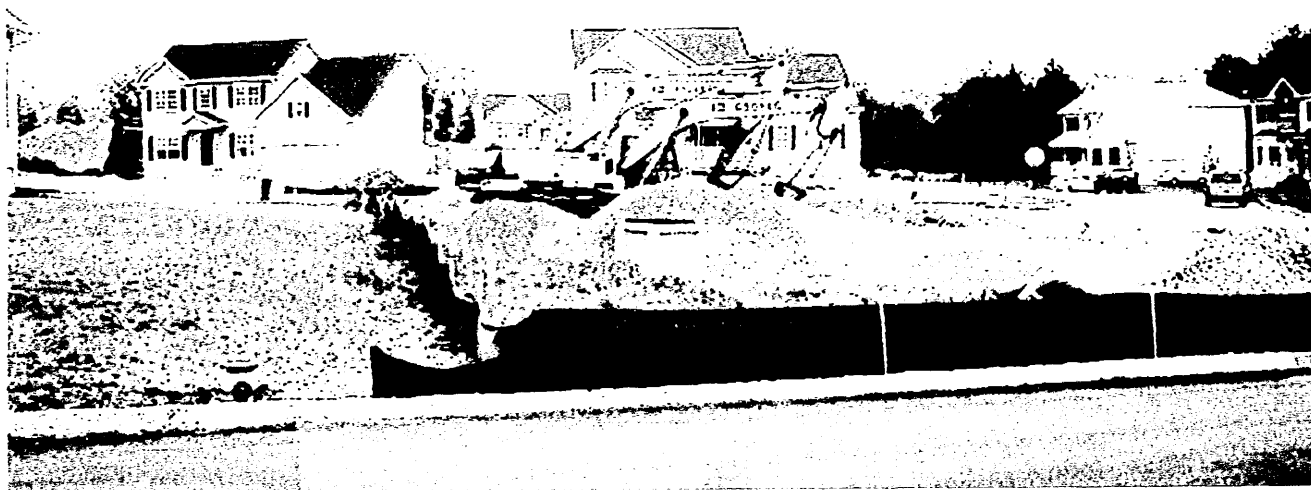
05-56

MT. AIRY ESTATES (AREA)
2657 LIBERTY RIDGE (64-2-24)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 11-14-05









**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: June 28, 2005

**APPLICANT: Mt. Airy Estates
15 Engle St. Suite 100
Englewood, NJ 07631**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 11/6/03

FOR : Single Family House

LOCATED AT: 2657 Liberty Ridge


ZONE: R-3 Sec/Blk/ Lot: 64-2-24

DESCRIPTION OF EXISTING SITE: Vacant land

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

**1. 48-12 Use/Bulk Table R-3 Zone Column G-8 Required rear yard depth is 30 ft.
Proposed dwelling will be 13ft from the rear property line. A variance of 17ft is required.**

COPY


BUILDING INSPECTOR

PERMITTED

**PROPOSED OR
AVAILABLE:**

✓
**VARIANCE
REQUEST:**

ZONE: R-3 USE: Single Family Dwelling

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD: 30ft 13ft 17ft

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underlab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #

003-1380

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises MT AIRE ESTATES
Address 2657 LIBERTY RIDGE Phone 908 208 1923
Mailing Address 15 ENGLE ST. ENGLEWOOD NJ
Name of Architect APPEL DESIGN GROUP
Address 2444 MORRIS AVE UNION NJ Phone 908 686 2230
Name of Contractor NEW WINDSOR DEVELOPMENT COMPANY
Address 570 W. MT. PLEASANT AVE LIVINGSTON NJ Phone 973-992-2443
State whether applicant is owner, lessee, agent, architect, engineer or builder BUILDER
If applicant is a corporation, signature of duly authorized officer [Signature] WAGER
(Name and title of corporate officer)

1. On what street is property located? On the N side of LIBERTY RIDGE
and D (N, S, E or W) feet from the intersection of INDEPENDENCE DRIVE
2. Zone or use district in which premises are situated R3 Is property a flood zone? Y N
3. Tax Map Description: Section 64 Block 2 Lot 24
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy VACANT LAND b. Intended use and occupancy SINGLE FAMILY
5. Nature of work (check if applicable) ☒ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other
6. Is this a corner lot? YES
7. Dimensions of entire new construction Front 49'10" Rear 49'10" Depth 35'8" Height 32'6" No of stories 2
3. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor 1
Number of bedrooms 4 Baths 2 Toilets 3 Heating Plant: Gas ✓ Oil
Electric Hot Air Hot Water If Garage, number of cars 2
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
10. Estimated cost 80000 Fee \$50-

CH# 106263

PAID

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Krysheer
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

NEW WINDSOR DEVELOPMENT COMPANY

By: [Signature]
(Signature of Applicant)

570 W. MT PLEASANT AVE LIVINGSTON

(Address of Applicant)

BY: [Signature]
AT FIRE ESTIMATES, INC.

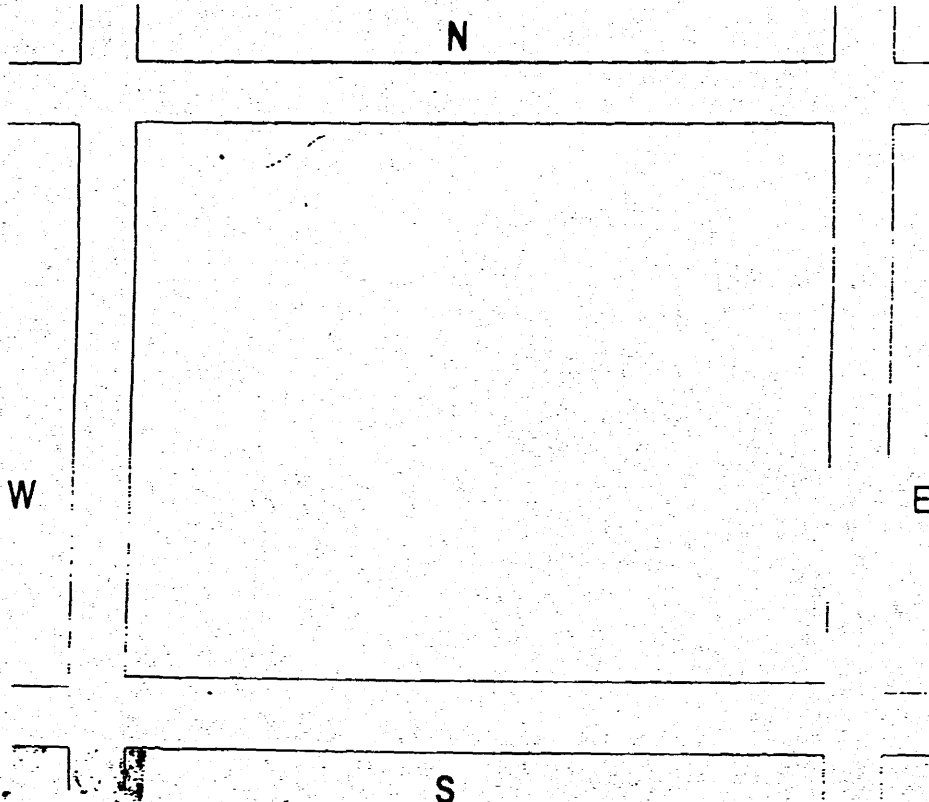
(Owner's Signature)

15 ENGLE ST ENGLEWOOD NJ

(Owner's Address)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



The Reserve at New Windsor

March 21, 2003

The Town of New Windsor has requested we notify you of the water storage facility to be constructed on the lot shown as Section 64, Block 6, Lot 10 on the Town of New Windsor Tax Maps. This lot is located at 5 Panorama Drive.

The water storage facility is an Aquastore Model 31.79 wt-cf with 438,000 gallon capacity to the top sidewall. More information about the water storage facility will be available at the sales office when the facility receives the Town's final approval.

Please confirm that you have received this notification by signing where indicated Below.

Notification received: Date 5/4/03

Purchaser ATD, Inc.

Address At

Section 64 Block 2 Lot 24

Copies to:

Applicant
☒ Building
☐ Camo
☐ Highway
☐ Water

Dig Safely OF NEW WINDSOR
New York WORK PERMIT
800-862-7362
 www.digsafely.com

NUMBER 251-7003

	AUTHORIZATION			COMPLETED & APPROVED	
	DATE	FEE	BY	DATE	BY
<input type="checkbox"/> SEPTIC					
<input checked="" type="checkbox"/> SEWER	11/6/03	\$200.00			
<input checked="" type="checkbox"/> WATER	11/6/03	365.00			
<input type="checkbox"/> STREET OPENING					
<input checked="" type="checkbox"/> DRIVEWAY	11/6/03	50.00			

DATE 11.5.03 Sec 64 BLOCK 2 LOT 24

Owner Name MT. AIRY ESTATES

911/Meter Address 2657 LIBERTY RIDGE

MUST HAVE 911 ADDRESS FOR PERMIT TO BE APPROVED

** Billing Address NEW WINDSOR DEV CO. 16 MICROLAB RD LIVINGSTON, NJ

**NOTE: The issuance of this Permit will begin your quarterly sewer/water operation and maintenance billing.

Contractor NEW WINDSOR DEV CO Emergency Phone 845 567-8731

Sewer Dist # 16 Water Dist # 8

DESCRIPTION OF WORK
 (See Specification Sheets)

Septic OR Sewer SEWER Hookup

Water Information WATER Hookup

Account# _____ Meter # _____ Remote # _____

Inspections 1) Ditch _____ 2) Final _____

Highway/Street Opening _____

Driveway Construction Driveway

Dee-nale g...
 TOWN CLERK

[Signature]
 TOWN CLERK

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 64-2-24

In the Matter of the Application of

**MEMORANDUM OF
DECISION GRANTING**

MT. AIRY ESTATES

AREA

CASE #05-56

WHEREAS, Audrey Scott, Atty. of Jacobowitz & Gubitz, P.C. on October 24, 2005 and Tino Calinda of New Windsor Development Corp. on November 14th, 2005, owner(s) of 2657 Liberty Ridge, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 17 ft. Rear Yard Setback for proposed single-family house at 2657 Liberty Ridge in an R-3 Zone (64-2-24)

WHEREAS, a public hearing was held on October 24, 2005 & November 14th, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were two spectators appearing at the public hearing; and

WHEREAS, two spectators spoke in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

- 1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Times Herald Record, also as required by law.**
- 2. The Evidence presented by the Applicant showed that:**
 - (a) The property is a vacant property located in a residential zone .**
 - (b) This property was part of a subdivision and was originally an approved lot.**
 - (c) The lot is triangular in shape and is located on the corner of two roadways.**

- (d) The lot is part of a 500-unit subdivision previously approved by the Planning Board of which 350 lots have been built out, as well as all the amenities, including curb-cuts and roadways.
- (e) The applicant will not be removing any trees or substantial vegetation.
- (f) The applicant will not be creating the ponding or collection of water or diverting the flow of water drainage.
- (g) The lot could be utilized within the zoning law by creating a smaller house, but, the applicant seeks to construct a house which is similar in size and appearance with other houses in the subdivision.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

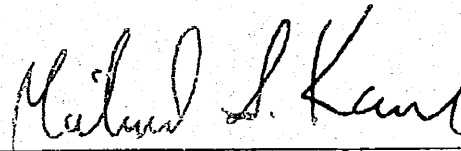
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 17 ft. Rear Yard Setback for proposed single-family house at 2657 Liberty Ridge in an R-3 Zone (64-2-24) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: NOVEMBER 14, 2005

A handwritten signature in cursive script, reading "Michael S. Kane", is written over a horizontal line.

Chairman



Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689**

OFFICE OF THE ZONING BOARD OF APPEALS

March 27, 2006

**Present owners of
2657 Liberty Ridge
New Windsor, NY 12553**

SUBJECT: REQUEST FOR VARIANCE #05-56

Dear Sir or Madam:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

**Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD**

MLM:mlm

cc: Michael Babcock, Building Inspector

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

PUBLIC HEARING FOR: ⁰⁵⁻⁵⁶ Mt. Airy Est - 2657 Liberty Ridge

DATE: 11-14-05

SIGN-IN SHEET

	NAME	ADDRESS	PHONE NUMBER
1.	<u>Pierre Percy + Mrs Percy</u>		
2.			
3.			
4.			
5.			
6.			
7.			
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19.			
20.			

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: JANUARY 11, 2006
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 97.28 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #05-56

NAME & ADDRESS:

**Mt. Airy Estates
15 Engle Street - Suite 100
Englewood, NJ 07631**

THANK YOU,

MYRA

L.R.01-12-2006



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS



FILE #05-56 TYPE: AREA TELEPHONE: 201-816-1200

APPLICANT:

Mt. Airy Estates
15 Engle Street - Suite 100
Englewood, NJ 07631

RESIDENTIAL:	\$ 50.00	CHECK # <u>109699</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 109700



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$5.50 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>2</u>	PAGES	\$ <u>11.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>3</u>	PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
PUBLIC HEARING:	<u>4</u>	PAGES	\$ <u>22.00</u>	\$ <u>35.00</u>

LEGAL AD: Publish Date: 10/13/05 \$ 48.22

TOTAL: \$ 97.72 \$ 105.00



ESCROW POSTED: \$ 300.00

LESS: DISBURSEMENTS: \$ 202.72

AMOUNT DUE: \$ _____

REFUND DUE: \$ 97.28

Cc:

L.R. 01-12-2006

MT. AIRY ESTATES (05-56)

MR. KANE: Request for 17 ft. rear yard setback for proposed single-family house at 2657 Liberty Ridge in an R-3 zone.

Mr. Tino Calinda appeared before the board for this proposal.

MR. KANE: Tell us what you want to do.

MR. CALINDA: What we're trying to propose here is basically the same thing, taking 17 feet of the setback and the thing that's different about this house is that the house to the left of it he has the double lot there with the big back yard, so what we did was we lined this one up in line with his and with 13 foot setback just in the corner there on the back left-hand corner would bring us in most likely on the rest of the same thing with the rest of the houses as you go up, so it just runs with the rest of the houses and you still have your 25 foot setback in the front and because there's another frontage on the other side you still have your 25 foot setback.

MR. KANE: Actually that leaves the 13.2.

MR. CALINDA: On the left-hand side which if you consider that as a side of the house but because this was a corner lot and we're making the back yard facing Independence.

MR. KANE: If this wasn't a corner lot, he wouldn't be here?

MR. BABCOCK: That's correct. If you look at where it says lot 70 and 68 that dark line where the 13 foot goes to that's the side yards for the houses next door, they're only required to be 12 foot off that line, he's required to be 30 because of the corner lot.

MR. KANE: Any questions at this point? Okay, I'll open it up to the public on the second piece of property, do you have a question, ma'am?

MRS. PERCY: No.

MR. KANE: This is for the property you were talking about. Your question is?

MR. PERCY: What type of house?

MR. CALINDA: This will be a Chesapeake which we have plenty on these.

MR. PERCY: We're very concerned about the aesthetic affects.

MR. CALINDA: Square foot will be 24.

MR. KANE: Aesthetically.

MR. CALINDA: This will be facing your house with a side load entry garage.

MRS. PERCY: So they're coming in off this street?

MR. CALINDA: No, coming in of Liberty Ridge, your driveway's over here and theirs is down here.

MRS. PERCY: All right.

MR. KANE: No problems?

MRS. PERCY: That one's bigger than the one behind me.

MR. KANE: No problems?

MR. PERCY: No.

MR. CALINDA: But only by--

MR. BABCOCK: It's a different shape.

MR. KANE: That's why they're here because it's a corner lot, otherwise, they wouldn't even be here and in their zone this is bigger, the 13.2 than the 12 on your other property lines. Thank you. I'll close the public portion of the hearing, bring it back to the board.

MR. REIS: Does this have a garage under the house?

MR. CALINDA: No, not garage under.

MR. REIS: Attached?

MR. CALINDA: Yes, it's attached, what I mean by garage under is it be dipping down, no, it will not be dipping down.

MR. KANE: Creating any easements running through this property?

MR. CALINDA: No, only, no, there's no easements on this property, no.

MR. KANE: Any drainage problems here?

MR. CALINDA: No, not on this property.

MR. BABCOCK: Just for clarification, this house does have a two car garage within it.

MR. CALINDA: Correct.

MR. BABCOCK: So Mike your answer is yes, it is a garage under, there's living space above the garage, is that what you were asking?

November 14, 2005

38

MR. REIS: Yes, that's what it appeared to be, thanks.

MR. KANE: Any further questions?

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: I'll make a motion that we grant Mt. Airy Estates the request for 17 foot rear yard setback for proposed single-family house at 2657 Liberty Ridge,

MS. LOCEY: Second it.

ROLL CALL

MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: November 14, 2005

PROJECT: Mt. Airy Est. - 2657 Liberty Ridge ZBA # 025-56
P.B.# _____

P.B.#

USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M)_____ S)_____ VOTE: A____ N_____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

APPROVED: M)____S)____ VOTE: A____N____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y_____N_____
REIS _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M)___ S)___ VOTE: A___ N___

GANN
LOCEY
BROWN
MCDONALD
REIS
KANE

CARRIED: Y_____ N_____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓

VARIANCE APPROVED: M) RS S) L VOTE: A 4 N 0.

GREEN	
LOCEY	A
BROWN	A
MCDONALD	
REIS	A
KANE	A

CARRIED: Y ☒ N ☐.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.



RESULTS OF Z.B.A. MEETING OF: October 20, 2005

PROJECT: Mt Airy Est. - 2657 Liberty Ridge ZBA # 05-56
P.B.# _____

USE VARIANCE: _____ NEED: EAF _____ PROXY _____



LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) G S) Rs VOTE: A 5 N 0.

GANN A
LOCEY A
BROWN A
~~MCDONALD~~ A
REIS A
KANE A

Tabled to 11-14-05

CARRIED: Y ✓ N _____

No Re-Advertise
No Re-Notice

MT._AIRY_ESTATES_(05-56)

MR. KANE: Mt. Airy Estates request for 17 foot rear yard setback for proposed single family home at 2657 Liberty Ridge in an R-3 zone.

Audry Scott, Esq. appeared before the board for this proposal.

MS. SCOTT: Once again, I'm Audry Scott from the firm of Jacobowitz & Gubits on behalf of Mt. Airy Estates. I understand this is a request for a 17 foot encroachment into a 30 foot rear yard requirement on a corner lot which results in a triangular shaped lot, one corner of the home is what encroaches into the rear yard requirement necessitating the variance.

MR. KANE: Can I ask a question on this particular lot, was there another miscalculation, is that why we need 17 feet here?

MR. BABCOCK: Mr. Chairman, these lots were developed in 1970, I don't think there was and the gentlemen said that there was a miscalculation, I don't think it was in the lots, these surveys were done I think it might have been in what they told them they were getting and what they actually got. These lots have been here this way since 1970.

MR. KANE: Okay, at this point, what I'm going to do is since the statements and all of the arguments are the same as the first particular Mt. Airy Estate hearing I'm going to request the board table this particular motion so that we can hear them both at the same time and give the construction company a chance to get together with the residents of that particular neighborhood. May I have a motion?

MS. GANN: I'll make a motion that we table Mt. Airy Estates' request for 17 foot for November 14th for the

request for the 17 foot rear yard setback for the single family house at 2657 Liberty Ridge.

MR. REIS: Second it.

ROLL CALL

MS. GANN AYE
MS. LOCEY AYE
MR. BROWN AYE
MR. REIS AYE
MR. KANE AYE

MR. BABCOCK: Was that tabled to November 14th also?

MR. KANE: Yes, both on November 14th.

MS. SCOTT: Is the public hearing adjourned until then?

MR. KANE: The public hearing on the 2657 Liberty Ridge will be held at that time.

MR. REIS: Mike, how close is this to the prior application as far as the geography?

MR. KANE: Corner lots.

MR. BABCOCK: How far away you mean?

MR. REIS: Yes.

MR. BABCOCK: I'm not positive.

MR. WALKER: They're across the street from each other.

MR. PERCY: My house is in between.

MR. BABCOCK: It's the end, they've got a double row of houses coming down and it's the end and then a double row of houses and the end.

October 24, 2005

43

MR. REIS: All right, very close, okay, thank you.

MR. KANE: Thank you.

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

AFFIDAVIT OF SERVICE BY MAIL


STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

Sworn to before me this

Myra Mason
Myra L. Mason, Secretary

11th day of October, 2005


Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified in Orange County
Commission Expires 10/30/2006



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

October 4, 2005

New Windsor Development Co., LLC
16 Microlab Road - Suite D
Livingston, NJ 07039

SUBJECT: REQUEST FOR VARIANCE #05-56

Dear Mr. Rosenzweig:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Times Herald Record Newspaper for publication. **PLEASE NOTE: The charge for publication in the Times Herald Record will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

2657 Liberty Ridge
New Windsor, NY

is scheduled for the OCTOBER 24, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

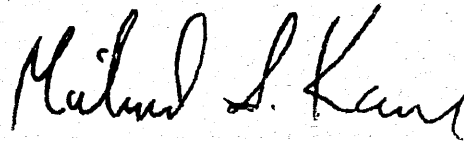
Appeal No. 05-56

Request of MT. AIRY ESTATES (SARNA)

for a VARIANCE of the Zoning Local Law to Permit:

Request for 17 ft. Rear Yard Setback for proposed single-family house at 2657 Liberty Ridge in an R-3 Zone (64-2-24)

PUBLIC HEARING will take place on OCTOBER 24, 2005
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.



Michael Kane, Chairman

Town of New Windsor
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-56
 Request of MT. AIRY ESTATES (SARNA)

for a VARIANCE of the Zoning Local Law to Permit:

Request for 17 ft. Rear Yard Setback for proposed single-family house at 2657 Liberty Ridge in an R-3 Zone (64-2-24)

PUBLIC HEARING will take place on October 24, 2005 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE
 CHAIRMAN

Ad Number: 1806867 Advertiser: NEW WINDSOR, TOWN

Phone: 8455634615 Sys No: 1194114 Caller: MYRA

INVOICING CUSTOMER:

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

ORDER:

Printed By: THRFODDRIL Date: 10/11/2005 Assigned Sales: TownofNewWindsor PLANNINGBOARD PUBLIC AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

NOTES:

Change Reason:

INSERTION:

Product: THI Paper: IN Class: 999X; LEGAL BILLING

Schedule: Start Date - 10/13/2005 End Date - 10/13/2005

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PRODUCTION:

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Turnsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

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For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 0

TIMES HERALD-RECORD

40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

Patricia Foddrill

Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottaway Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

Legal Advertising Rep.

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

Public Notice

a true printed copy of which is hereunto annexed, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of

10/13/05

Signature of Representative:

Patricia Foddrill

Sworn in before me this

17

Day of

Oct.

2005

Gretchen Pina Breedy

Notary Public, Orange County

GRETCHEN PINA BREEDY
NOTARY PUBLIC FOR THE STATE
OF NEW YORK, ORANGE COUNTY
OATH / SIGNATURE IS ON FILE
COMMISSION EXPIRES 11/29/2005

September 12, 2005

7

MT. AIRY ESTATES (05-56)

Mr. Marvin Rosenzweig appeared before the board for this proposal.

MR. REIS: Request for 17 ft. rear yard setback for proposed single family house at 2657 Liberty Ridge in an R-3 zone.

MR. ROSENZWEIG: Pretty much the same thing again, requesting the 17 foot variance and in this case the house is a little bigger, it's more like 2,350 in terms of the square footage but again keeping with the size of the houses in the neighborhood, it is smaller than most of the houses in the neighborhood in that particular area which is only a block away from the one that we just did before.

MR. REIS: Again, no easements or utility easements or right-of-ways?

MR. ROSENZWEIG: No and this one the driveway and the house both face Liberty Ridge and not Independence.

MR. REIS: Mike, we have all the setbacks okay for the corner lot?

MR. BABCOCK: Yes.

MR. REIS: Questions board? I'll hear a motion.

MS. GANN: Make a motion that we set up Mt. Airy Estates for the request for the 17 foot rear yard setback for proposed single family house at 2657 Liberty Ridge in an R-3 zone.

MR. BROWN: Second the motion.

ROLL CALL

September 12, 2005

8

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

August 31, 2005

New Windsor Development (Marvin Rosenzweig)
16 Microlab Road
Livingston, NJ 07039

Re: 64-2-24

ZBA#: 05-56 (53)

Dear :Mr. Rosenzweig:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

64-2-19, 20, 21, 22, 23
Mt. Airy Est. Inc. c/o Sarna
Enterprises
15 Engle Street- Suite 100
Englewood, NJ 07631

64-2-25
Richard & Rosa Walker
2655 Liberty Ridge
New Windsor, NY 12553

64-2-26
Rolly & Susana Tina
2653 Liberty Ridge
New Windsor, NY 12553

64-2-27
Agustin & Milagros Dorego
2651 Liberty Ridge
New Windsor, NY 12553

64-2-28
Mario & Theresa Bullicer
2649 Liberty Ridge
New Windsor, NY 12553

64-2-29
Carl & Margo Bell
2647 Liberty Ridge
New Windsor, NY 12553

76-2-36
Lawrence & Andrea O'Rourke
3002 Molly Pitcher Dr.
New Windsor, NY 12553

76-2-37
Michael & Sherry Font Williams
2907 McKinley Ct.
New Windsor, NY 12553

76-2-40.1
Town of New Windsor
555 Union Ave
New Windsor, NY 12553

76-4-10
Apollo & Tess Cypress
2903 McKinley Ct
New Windsor, NY 12553

76-4-11
Noel & Daisy Franco
2032 Independence Drive
New Windsor, NY 12553

76-4-14
Israel Perez & Therezabeth Garcia
2038 Independence Drive
New Windsor, NY 12553

76-4-16
Rakowski Family Irr. Trust
2042 Independence Drive
New Windsor, NY 12553

77-1-5
Annette & Giovanni Flores
2646 Liberty Ridge
New Windsor, NY 12553

77-1-6
Yury Matuska
2648 Liberty Ridge
New Windsor, NY 12553

77-1-7
Shawn & Ebony Johnson Carter
2650 Liberty Ridge
New Windsor, NY 12553

77-1-8
Derek & Maritza DeJesus Barbier
2652 Liberty Ridge
New Windsor, NY 12553

77-1-9
Anthony & Kerri Bianchi
2654 Liberty Ridge
New Windsor, NY 12553

77-1-10
Jose & Maye Terrazola
2656 Liberty Ridge
New Windsor, NY 12553

77-1-11
Pierre & Stephanie Wright Percy
2658 Liberty Ridge
New Windsor, NY 12553

77-1-13
Luis & Christine Lohofink Diaz
2804 Cherry Tree Way
New Windsor, NY 12553

77-1-14
Eric & Linda Spisany
2806 Cherry Tree Way
New Windsor, NY 12553

77-1-15
Brian & Maria Lewis
2808 Cherry Tree Way
New Windsor, NY 12553

77-1-16
Junior Gonsalves
2810 Cherry Tree Way
New Windsor, NY 12553

77-1-17
Richard & Josephine Romano
2812 Cherry Tree Way
New Windsor, NY 12553

77-1-18
Donald & Karlene Mitchell
2814 Cherry Tree Way
New Windsor, NY 12553

77-1-19
Donald & Kathleen Dematteo
2816 Cherry Tree Way
New Windsor, NY 12553

77-2-7
Carmelo & Lydia Taverna
2813 Cherry Tree Way
New Windsor, NY 12553

77-2-8
Daniel & Lydia Bonilla
2811 Cherry Tree Way
New Windsor, NY 12553

77-2-9
Antonino & Maria Tommasi
2809 Cherry Tree Way
New Windsor, NY 12553

77-2-10

Salvatore & Angela Allegra
2807 Cherry Tree Way
New Windsor, NY 12553

77-2-11

Antonio & Laura Nastro
2805 Cherry Tree Way
New Windsor, NY 12553

77-2-12

Ramon Jr. & Ramon Cardona Sr.
2803 Cherry Tree Way
New Windsor, NY 12553

77-2-13

Larry Frazier
2801 Cherry Tree Way
New Windsor, NY 12553

77-2-14

John & Gloria Brown
2702 Colonial Drive
New Windsor, NY 12553

77-2-15

Adjei, Aretha & Nora Antwi
2704 Colonial Drive
New Windsor, NY 12553

77-2-16

Maria Stewart
2706 Colonial Drive
New Windsor, NY 12553

77-2-17

Christopher & Jennifer Bautista
2708 Colonial Drive
New Windsor, NY 12553

77-2-18

Laverne Bey
2710 Colonial Drive
New Windsor, NY 12553

77-2-19

Mark & Patricia Mayberry
2712 Colonial Drive
New Windsor, NY 12553

77-2-20

John & Nicole White
2714 Colonial Drive
New Windsor, NY 12553

77-3-1

Thomas Morris
2209 Reveres Run
New Windsor, NY 12553

77-3-2

James & Nancy Keating
2207 Reveres Run
New Windsor, NY 12553

77-3-7

William A. Chavers III
2022 Independence Drive
New Windsor, NY 12553

77-3-8

Thomas & Silvana Spisany
2024 Independence Drive
New Windsor, NY 12553

77-3-9

Todd & Monique Neavin
2026 Independence Drive
New Windsor, NY 12553

77-3-10

Carolyn & James Berkowitz
2028 Independence Drive
New Windsor, NY 12553

77-3-11

Steven Lui
2902 McKinley Ct.
New Windsor, NY 12553

77-3-12

John & Isabel Hernandez
2904 McKinley Ct.
New Windsor, NY 12553

77-3-13

Joseph & Kathi Cavallo
2906 McKinley Ct.
New Windsor, NY 12553

76-2-33, 34, 35

77-1-15

Mt. Airy Est. Inc. c/o Sarna Enterp.
15 Engle Street- Suite 100
Englewood, NJ 07631

76-2-40.2; 76-3-8, 76-3-9

Mt. Airy Est. Inc. c/o Sarna Enterp.
15 Engle Street- Suite 100
Englewood, NJ 07631

76-4-5, 6, 7, 8, 9, 12, 13, 15, 17

Mt. Airy Est. Inc. c/o Sarna Enterp.
15 Engle Street- Suite 100
Englewood, NJ 07631

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 08-29-05

FOR: **ESCROW 05-56**

FROM:

New Windsor Development Co., LLC
16 Microlab Road - Suite D
Livingston, NJ 07039

CHECK NUMBER: **109700**

TELEPHONE: **973-422-1600**

AMOUNT: **300.00**

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME

DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#835-2005

08/31/2005

New Windsor Development Co *ZBA 05-56*
Suite 100
570 West Mt. Pleasant Ave.
Livingston, NJ 07039

Received \$ 50.00 for Zoning Board Fees, on 08/31/2005. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR

REQUEST FOR NOTIFICATION LIST

DATE: 08-29-05 PROJECT NUMBER: ZBA# 05-56 P.B. # _____

APPLICANT NAME: MT. AIRY ESTATES

PERSON TO NOTIFY TO PICK UP LIST:

NEW WINDSOR DEVELOPMENT (MARVIN ROSENZWEIG)
16 MICROLAB ROAD
LIVINGSTON, NJ 07039

TELEPHONE: 908-208-1923

TAX MAP NUMBER:	SEC. <u>64</u>	BLOCK <u>2</u>	LOT <u>24</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	B LOCK _____	LOT _____

PROPERTY LOCATION: 2657 LIBERTY RIDGE
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
 (ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
 OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 109701

TOTAL CHARGES: _____



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

August 29, 2005

New Windsor Development Co., LLC
16 Microlab Road - Suite D
Livingston, NJ 07039

SUBJECT: REQUEST FOR VARIANCE #05-56

Dear Sir:

This letter is to inform you that you have been placed on the September 12, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

2657 Liberty Ridge
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

cc: Mt. Airy Estates
15 Engle Street - Suite 100
Englewood, NJ 07631



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

7.28.05

Date

Application Type: Use Variance ☒ Area Variance ☐
Sign Variance ☐ Interpretation ☐

I. Owner Information:

Phone Number: (201) 816-1200
Fax Number: ()
MT. AIRY ESTATES
(Name)
15 ENGLE ST., SUITE 100 ENGLEWOOD NJ 07631
(Address)

II. Applicant:

SAME AS ABOVE
(Name) Phone Number: (201) 816-1200
Fax Number: ()
(Address)

III. Forwarding Address, if any, for return of escrow:

Phone Number: 973 422-1600
Fax Number: 973 422-9400
NEW WINDSOR DEVELOPMENT COMPANY
(Name)
16 MICHLAB ROAD LIVINGSTON NJ 07039
(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number (845) 343-7994
Fax Number: ()
LEO J CARROLL, PE, LS. & ASSOCIATES
(Name)
83 CEMETERY RD MIDDLETOWN NJ 10940
(Address)

V. Property Information:

Zone: R-3 Property Address in Question: 2657 LIBERTY RIDGE
Lot Size: 11383 SF Tax Map Number: Section 64 Block 2 Lot 24
a. What other zones lie within 500 feet? NONE
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? ~1970
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VI. USE VARIANCE:

Use Variance requested from New Windsor Zoning Local Law,

Section 48-12, Table of R3 zone Regs., Col. G-8.

Describe proposal:

REAR YARD SET BACK REQUIRED 30'
HOME 13' FROM PROPERTY LINE ON CORNER LOT
17' VARIANCE REQUIRED

- VII. The legal standard for a "Use Variance" is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the Use Variance is granted. Also state any efforts you have made to alleviate the hardship other than this application.

IF NO VARIANCE WILL BE GRANTED, LOT WOULD
REQUIRE A HOME THAT WOULD BE SUBSTANTIALLY
SMALLER AND OF LESSER VALUE THAN EXISTING
HOUSES IN THE NEIGHBORHOOD.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	30	13'	17'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

GRANTING THE VARIANCE WILL BALANCE THE
VALUE OF THE NEIGHBORHOOD WHILE PREVENTING
AN UNDESIRABLE CHANGE TO THE CHARACTER
OF THE NEIGHBORHOOD AND TO THE NEARBY PROPERTIES.
THERE IS NO ADVERSE EFFECT OR IMPACT. THE
SITUATION WAS NOT SELF CREATED

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of existing premises (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

29th day of JULY 2005.

Mt. Airy Estates, Inc.
by: Mark Serna
Owner's Signature (Notarized)

Owner's Name (Please Print)

Signature and Stamp of Notary

Applicant's Signature (If not Owner)

PLEASE NOTE:

NOTARY PUBLIC OF NEW JERSEY
My Commission Expires July 3, 2009

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

8/22



TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION(LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE: \$ 50.00
*ESCROW: \$300.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

*

ESCROW
IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

**

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:

APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME

908-208-1923

PUBLIC HEARING LIST OF PROPERTY OWNERS

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.

APPLICANT/OWNER PROXY STATEMENT

(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Mr. Airy Estates, Inc., deposes and says that he resides
(OWNER)
at 5 EGGLE ST ENGLEWOOD in the County of BERGEN
(OWNER'S ADDRESS)
and State of NEW JERSEY and that he is the owner of property tax map
(Sec. 64 Block 2 Lot 24)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Harvin ROSENZWEIG 16 MICHAEL RD LIVINGSTON NJ 07039
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 8/3/05

**** Mt. Airy Estates, Inc.**
by: Mark Sarna
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:
3RD day of AUGUST 2005

RYTA SEILER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires July 3, 2008

Rita Seiler

Signature and Stamp of Notary

Applicant's Signature (If different than owner)

[Signature]
Representative's Signature

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

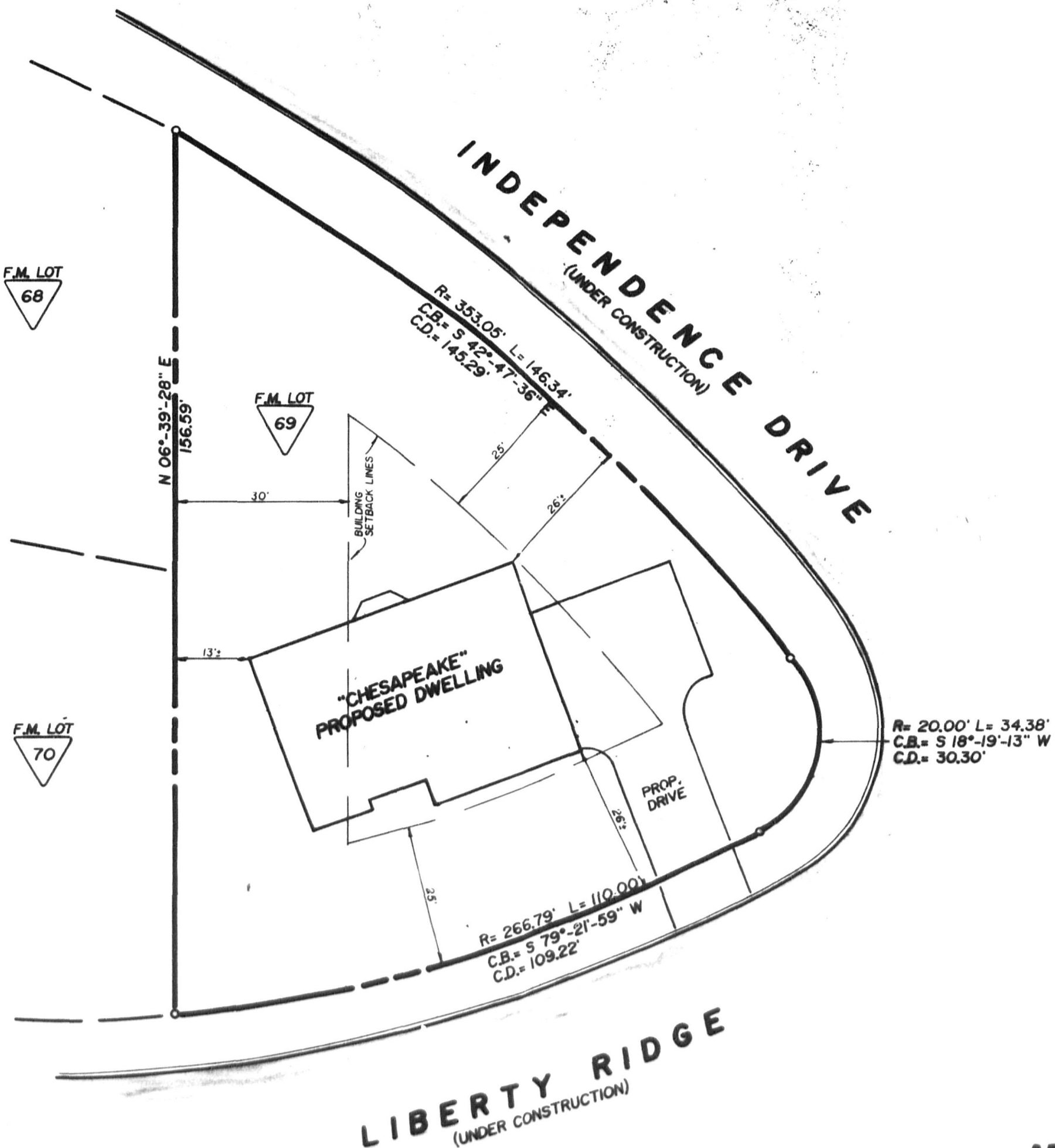
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F.M. LOT
68

F.M. LOT
69

F.M. LOT
70



AREA:
0.261 Ac.±

TAX MAP REFERENCE:

TOWN OF NEW WINDSOR
SECT. 64, BLK. 2, LOT 24

FILED MAP REFERENCE:

BEING LOT #69, BLOCK 'E' OF A FILED SUBDIVISION
MAP ENTITLED "MOUNT AIRE ESTATES" AND
FILED IN THE ORANGE COUNTY CLERK'S OFFICE
AS MAP #3485 ON JUNE 20, 1975.

III
J
C



LEO J. CARROLL, P.E., L.S.
& ASSOCIATES

83 Cemetery Rd, Middletown, NY 10940 (845) 343-7994



PLOT PLAN

FOR:
MOUNT AIRE ESTATES, INC.
LIBERTY RIDGE and INDEPENDENCE DRIVE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

REVISED:
10-1-03
10-27-03

SCALE:
1" = 20'
DATE:
8-29-03
DRAWN:
J.E.S.
CHECKED:
S.L.P.
SHEET NO.
1